

**Appendix A:**

**Letter of Request from Senator Jeff Bingaman, June 17, 2002.**

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# United States Senate

COMMITTEE ON  
 ENERGY AND NATURAL RESOURCES

Washington, DC 20510-6150

ENERGY.SENATE.GOV

June 17, 2002

Dr. Mary Hutzler  
 Acting Administrator  
 Energy Information Administration  
 1000 Independence Avenue SW  
 Washington, DC 20585

Dear Acting Administrator Hutzler:

The Senate passed version of H.R.4 contains a number of provisions affecting fuels markets that require additional analysis prior to final conference decisions. First, the oxygenate requirement for RFG would be eliminated and the states would be allowed to ban the use of MTBE beginning in 2004, a national phase out would follow. Also beginning in 2004, a certain portion of all gasoline sold in the U.S. will have to be from "renewable fuels", this requirement will affect all refiners and gasoline markets. The combination of these two factors alone has the potential to significantly impact US motor fuels markets.

As we all know too well, every previous significant change to fuel formulations has resulted in severe price volatility in various US motor fuels markets. Each time, the Committee on Energy & Natural Resources has held hearings to review the problems in an effort to avoid or at least mitigate future recurrence of such dislocations. The Energy Information Administration (EIA) has also investigated and reported on these various transitions. We should be able to apply what we have learned from these past market transition experiences to ease the implementation of these various changes that will start to take effect in 2004.

Therefore, I am requesting that the EIA analyze the potential market implications of the Senate-passed fuels provisions in H.R.4 combined with known and anticipated regulatory changes. This should include specific analysis of the following factors:

1. The expected volumetric shortfall in fuels supplies with an effective MTBE ban in 2004;
2. Actual renewable fuels production capacity, supply, and constraints and the effect on price;
3. Inter-regional transportation issues and associated costs for renewable fuels;

4. The potential effect of operating the mandate on a fiscal year, (i.e. beginning in October) vs. calendar year basis;
5. The environmental impact of the simultaneous implementation of the low sulfur and Mobile Source Air Toxic (MSAT) gasoline regulations and a national ethanol mandate;
6. The impact on gasoline price and supply when many additional ozone non-attainment areas come under the new 8-hour ozone standard;
7. The potential cost and supply impacts associated with individual states seeking to protect air quality through the removal of the one-pound vapor pressure waiver for gasoline blended with ethanol;
8. The potential effect/role of implementation of a national menu of fuels to address the proliferation of boutique fuels.

As earlier requests have noted, it would be helpful to have this study completed as soon as possible. Should you have any questions, regarding this request, please contact Jennifer Michael at the Committee, at (202)224-7143. I thank you in advance for your assistance.

Sincerely,



Jeff Bingaman  
Chairman, Senate Committee on  
Energy & Natural Resources

cc: file